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July 2, 1998

Joel J. Roessner, Esq.  
Attorney  
Federal Election Commission  
Washington, D.C. 20463

Re: Marsha Scott

Dear Mr. Roessner:

Enclosed please find the response of Marsha Scott to the F.E.C. "Subpoena to Produce Documents Order to Submit Written Answers," transmitted by your letter of June 4, 1998.

Very truly yours,

LEVINE PIERSON SULLIVAN & KOCH, L.L.P.

By 

Stuart F. Pierson  
Counsel for Marsha Scott

SFP/sep  
Enclosure

FEC 1-1  
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**BEFORE THE FEDERAL ELECTION COMMISSION**

**In the Matter of**

**MURs 4407 and 4544**

**RESPONSE TO SUBPOENA TO PRODUCE  
DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS**

Marsha Scott responds to the "Subpoena to Produce Documents Order to Submit Written Answers," transmitted by the Federal Election Commission ("FEC") by regular mail to Ms. Scott at the White House, under letter dated June 5, 1998, as follows:

**DOCUMENT REQUEST**

Ms. Scott does not have within her personal possession, custody or control any documents responsive to the "Subpoena to Produce."

**INTERROGATORIES**

Ms. Scott responds to the interrogatories propounded by the FEC as follows:

**PREFACE**

Ms. Scott will respond to the best of her ability and in good faith to the interrogatories. She states at the outset, however, that she has no personal knowledge of the apparent subject of the FEC investigation, viz., advertising by Squiers Knapp Ochs Communications and November 5 Group, Inc., as she was not involved in the planning, organization, development and/or creation of television, radio or print advertisements produced by SKO or November 5, or the broadcast and publication of those advertisements, or the payment for those advertisements.

## **GENERAL OBJECTIONS**

The "Definitions" section relating to the interrogatories is burdensome and oppressive in numerous respects. For example, the requirements attached to the word, "identify," while presented as definitions, purport to impose duties of investigation and detail both far beyond reason and far beyond the limit of the requirements in the Federal Rules of Civil Procedure, by which the form and content of the interrogatories must be judged. Ms. Scott will respond to the interrogatories consistently with those Federal Rules requirements.

Many of the interrogatories, either directly or by incorporating terms defined in the "Definitions" section, purport to require degrees of recalled detail that Ms. Scott does not have, and that she cannot acquire without personally questioning thousands of people to whom she may have spoken in any conversation about political advertisements during the 1996 election cycle. While Ms. Scott will give her best recollection and endeavor to respond to the interrogatories in good faith, she will not undertake such an investigation.

## **RESPONSES TO INTERROGATORIES**

**Interrogatory No. 1:** Identify each and every person who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by SKO and paid for in whole or in part by the DNC.

### **Response:**

Ms. Scott states that she does not know who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by SKO and paid for in whole or in part by the DNC.

**Interrogatory No. 2:** Identify each and every person who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by SKO and paid for in whole or in part by any State Democratic Party.

**Response:**

Ms. Scott states that she does not know who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by SKO and paid for in whole or in part by any State Democratic Party.

**Interrogatory No. 3:** Identify each and every person who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by November 5 and paid for in whole or in part by the DNC.

**Response:**

Ms. Scott states that she does not know who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by November 5 and paid for in whole or in part by the DNC.

**Interrogatory No. 4:** Identify each and every person who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by November 5 and paid for in whole or in part by any State Democratic Party.

**Response:**

Ms. Scott states that she does not know who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or

print advertisements produced by November 5 and paid for in whole or in part by any State Democratic Party.

Interrogatory No. 5: State the time and date of each meeting and telephone conversation during which there was any discussion of any kind concerning the planning, organization, development and/or creation of television, radio or print advertisements which were produced in whole or in part by SKO and/or November 5, and/or which were paid for in whole or in part by the DNC, Clinton/Gore and/or the Clinton/Gore '96 General Committee, Inc. "Meeting" means any discussion among two or more persons, including discussions that were incidental to another meeting topic, telephone conversations, and discussions by any other electronic medium. For each meeting:

- a. Identify the location of the meeting, and for telephone or other electronic discussions, the location of each participant.
- b. Identify each and every person who attended, heard or participated in any meeting. For each identified person, indicate which meeting that person attended, heard or participated in, and the date that each meeting occurred.
- c. Describe the substance, decisions, discussion and details of each and every meeting.
- d. Identify who produced the specific advertisements discussed in the meeting, including SKO, November 5, or some other entity or person.
- e. Identify each person or entity that paid in whole or in part for any advertisements that were discussed, including but not limited to the DNC, State Democratic Committees and Clinton/Gore, and the amount paid by each person or entity.

Response:

Ms. Scott states that, while she may have participated incidentally in conversations discussing political advertising during the 1996 election cycle, she does not recall any such conversation. As stated above, she was not involved in the planning, organization, development and/or creation of television, radio or print advertisements produced by SKO or November 5, or the broadcast and publication of those advertisements, or the payment for those advertisements. Accordingly, any conversation she may have had about any

political advertising would have occurred merely as a public observer unconnected with the generation, distribution or sale of such advertising.

Interrogatory No. 6: Identify each and every person from whom SKO purchased time to air television or radio advertisements. For each identified person, indicate what advertisements aired, the television or radio station on which the advertisement aired, the date the advertisements aired, how many times the advertisements aired, the price of airing the advertisements, and who paid for the airing of the advertisements.

Response:

Although Ms. Scott may have watched broadcasts of advertisements for which air time was purchased by SKO, she has no knowledge of the process of creating such advertisements were created or how air time was obtained for them.

Interrogatory 7: Identify each and every person from whom November 5 purchased time to air television or radio advertisements. For each identified person, indicate what advertisements aired, the television or radio station on which the advertisements aired, the date the advertisements aired, how many times the advertisements aired, the price of airing the advertisements, and who paid for the airing of the advertisements.

Response:

Although Ms. Scott may have watched broadcasts of advertisements for which air time was purchased by November 5, she has no knowledge of the process of creating such advertisements or how air time was obtained for them.

Interrogatory No. 8: Identify each and every newspaper, magazine or other publication where SKO purchased space to publish advertisements. For each identified publication, indicate what advertisements were published, the date the advertisements were published, the price of publishing the advertisements, and who paid for the publication of the advertisements.

Response:

Although Ms. Scott may have read print publications for which advertising space was purchased by SKO, she has no knowledge of the process of creating such advertisements or how publishing space was obtained for them.

Interrogatory No. 9: Identify each and every newspaper, magazine or other publication where November 5 purchased space to publish advertisements. For each identified publication, indicate what advertisements were published, the date the advertisements were published, the price of publishing the advertisements, and who paid for the publication of the advertisements.

Response:

Although Ms. Scott may have read print publications for which advertising space was purchased by November 5, she has no knowledge of the process of creating such advertisements or how publishing space was obtained for them.

Interrogatory No. 10: Identify each and every person who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by SKO and paid for in whole or in part by Clinton/Gore.

Response:

Ms. Scott states that she does not know who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by SKO and paid for in whole or in part by Clinton/Gore.

Interrogatory No. 11: Identify each and every person who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by November 5 and paid for in whole or in part by Clinton/Gore.

Response:

Ms. Scott states that she does not know who has knowledge or information regarding the planning, organization, development and/or creation of television, radio or print advertisements produced by November 5 and paid for in whole or in part by Clinton/Gore.

Interrogatory No. 12: Identify each and every television, radio or print advertisement that SKO planned, organized, developed and/or created for Clinton/Gore.

Response:

Ms. Scott states that she does not know which, if any, television, radio or print advertisement SKO planned, organized, developed and/or created for Clinton/Gore.

Interrogatory No. 13: Identify each and every television, radio or print advertisement that November 5 planned, organized, developed and/or created for Clinton/Gore.

Response:

Ms. Scott states that she does not know which, if any, television, radio or print advertisement November 5 planned, organized, developed and/or created for Clinton/Gore.

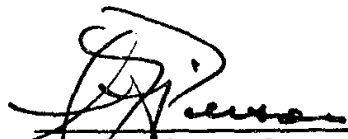
July 3, 1998  
Date

  
Marsha Scott

Respectfully submitted,

LEVINE PIERSON SULLIVAN & KOCH, L.L.P.

By:

  
Stuart F. Pierson, Esq.

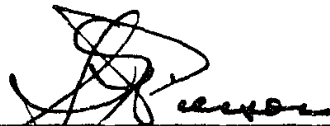
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Counsel for  
Marsha Scott

**CERTIFICATE OF SERVICE**

I hereby certify that I directed that a true and correct copy of the foregoing  
Response to Subpoena to Produce Documents Order to Submit Written Answers be  
served by first-class mail, postage prepaid, this 3rd day of July, 1998, upon:

Joel J. Roessner, Esq.  
Federal Election Commission  
Washington, D.C. 20463

  
\_\_\_\_\_  
Stuart F. Pierson